

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

12 CV 04163

Anisha -moore

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

-against-

Tamara Harris +
New York Police
Department

Jury Trial: ☒ Yes ☐ No
(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)



I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Anisha - moore
Street Address 27 Wamen St. Apt 2-B
County, City Staten Island New-York
State & Zip Code New-York 10304
Telephone Number (718) 420-0573

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name TAMERA HARRIS
 Street Address 27 Warren Street Apt 2-B
 County, City STATEN ISLAND NEW YORK
 State & Zip Code 10304
 Telephone Number (718) 420-0573

Defendant No. 2

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____
 Telephone Number _____

Defendant No. 3

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____
 Telephone Number _____

Defendant No. 4

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions☐ Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? _____

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? 27 Warren St
Apt 2-B my Home

B. What date and approximate time did the events giving rise to your claim(s) occur? August 30, 2011.

C. Facts: Police snatched phone
device while talking to Brooklyn
Bar Association which they are
on tape.

What
happened
to you?

Who did
what?

Was anyone
else
involved?

Who else
saw what
happened?

3 witness

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Police officer twisted
the phone, out my hand.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. monetary gain.

charges brought against police.

money.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 24 day of may, 2012

Signature of Plaintiff

G
amisha - mood

Mailing Address

27 Warren Street
Apt 2-B

Telephone Number

(718) 420-0573

Fax Number (if you have one)

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20____, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: _____

Inmate Number _____

**NOTICE OF INTENTION TO FILE A CLAIM BY ANISHA MOORE AGAINST THE CITY OF NEW YORK,
POLICE OFFICER NICK KNIGHT AND JANE DOE.**

Anisha Moore
27 Warren Street, Apt. 2B,
Staten Island, NY 10304

Please take notice that I, Anisha Moore, intend to file a claim against the City of New York, Officer Nick Knight, and Jane Doe, for malicious prosecution in violation of 42 USC Section 1983 and first amendment violations under 42 USC Section 1983, whereby said police officers violated my civil rights after responding to a 911 call that I placed regarding a raccoon in close proximity to the balcony of my apartment, located at 27 Warren Street, Apt. 2B, Staten Island, New York 10304, on August 30, 2011. After Officer Knight and Officer Jane Doe refused to take any action to abate the nuisance of a raccoon beside the balcony of my residence, I complained about their failure to do their job. Thereafter I began to call 311 and other public and private agencies to complain about these officers failure to abate a public nuisance, which threatened the health and safety of the public at large, and residents of the building I occupied. I was on the phone when these officers left my residence, and I advised them I was making phone calls to complain about their failure to take any corrective action with respect to the raccoon as they were leaving. After leaving the premises, these officers returned to my apartment several minutes later while I was on the phone, entered without consent, and began having a verbal confrontation with me. Upon telling them to leave my apartment, Officer Nick Knight grabbed the telephone out of my hand, assisted by Officer Jane Doe, and got physical with me by trying to push me off of my own balcony. When I began to scream for help, drawing the attention of my neighbors, Officer Knight and Jane Doe tried to cover up their misconduct by issuing me a criminal court summons, accusing me of violating Penal Law 240.20 by making unreasonable noise. This summons was issued on August 30, 2011 and commanded me to appear in Richmond County Criminal Court, Part AP3 on November 11, 2011. On November 12, 2011 the case terminated in my favor, with an outright dismissal of the false charges that were lodged against me. Officer Knight and Jane Doe, of the New York City Police Department violated my first amendment right to speak freely about a public nuisance; to wit, a raccoon, and my right to be free from frivolous and malicious criminal prosecutions at the hands of law enforcement. Moreover, Officer Knight and Jane Doe had no warrant to enter my home, take my property (my phone), or get physical with me. As such their conduct constituted an unlawful search and seizure under the 4th Amendment, and an unreasonable restraint of my liberty under the 14th Amendment, and a violation of my 42 USC Section 1983. I am hereby placing the City of New York on Notice that I intent to sue for the aforementioned misconduct of Officer Knight and Jane Doe.

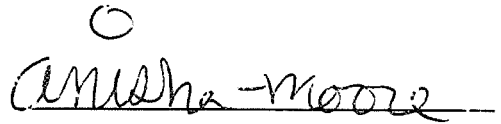
SERVICE OF PROCESS BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED:

Officer Nick Knight
New York City Police Department
1 Police Plaza
New York, New York 10038

Office of the Attorney General
The Capitol
Albany, NY 12224

Office of the Corporation Counsel
100 Church Street
New York, New York 10007

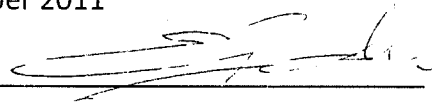
Office of the Comptroller
City of New York
1 Centre Street
New York, New York 10007



ANISHA MOORE

Sworn to before me this 21 day of

December 2011



NOTARY PUBLIC

EVGUENI IAKOUNINE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN KINGS COUNTY
REG. # 011A6076388
MY COMM. EXP. JUNE 24, 2014

The Law Office of Tamara M. Harris

ATTORNEY AT LAW

350 Broadway, Suite 400

New York, NY 10013

Tel: (212) 334-1050

Fax: (212) 334-1051

RETAINER AGREEMENT

**THIS IS A LEGALLY BINDING CONTRACT
PLEASE READ CAREFULLY**

DATE: December 21, 2011

Tamara Harris, Esq., hereby agrees to represent **ANISHA MOORE** for the purpose of drafting a notice of claim in relation to a criminal summons issued on August 30, 2011 and dismissed on November 12, 2011.

The flat fee for Tamara Harris' drafting on the above notice of claim is \$500, which Tamara Harris acknowledges receipt of in full.

Client understands that no guarantee has been made regarding her notice of claim other than that the attorney will use her best efforts.

The client understands that this agreement does not apply to any trials, appeals or post-judgment actions, proceedings, or applications, and that if such engagement were to be accepted by the Law Firm in the future, the Law Firm's representation would have to be secured by execution of another and separate Retainer Agreement. However, this retainer agreement in no way obligates the Law Firm to accept any such engagement in the future.

The Law Office of Tamara Harris and its staff make every effort to bill fairly and clearly for fees and expenses, and to represent client interests zealously and diligently. Occasionally, however, lawyers and clients disagree about the amount of a bill for legal services or for related costs and expenses. If a fee dispute arises in this matter, you may have the right to elect to resolve the dispute through arbitration pursuant to Part 137 of the Rules of the Chief Administrator. A copy of Part 137 will be made available to you upon request.

Please sign your name below indicating your agreement to the terms and conditions herein, including your responsibility for legal fees and necessary expenses.

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